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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/499,563 | 02/07/2000 | Satoshi Yoneya | 450100-02315 | 1453 |
| 20999 | 7590 | 01/16/2004 | EXAMINER | |
| FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151 | | | TRAN, THAI Q | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2615 | |

DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/499,563

Applicant(s)

YONEYA ET AL.

Examiner

Thai Tran

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 29-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 13-28 in Paper No. 8 is acknowledged.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

3. Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoneya et al (US 6,587,640 B1).

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Regarding claim 1, Yoneya et al discloses a data recording/reproducing apparatus (Fig. 1), comprising:

a plurality of record mediums that are random-accessible (RAID parts 10 and 21 of Fig. 1, col. 5, lines 36-44 and col. 6, lines 21-47);

recording and reproducing means (RAID parts 10 and 21 of Fig. 1, col. 5, lines 36-44 and col. 6, lines 21-47) for recording and reproducing data to and from said plurality of recording mediums; and

a plurality of input and output processing means (the video processor part 30 of Fig. 1, col. 5, line 47 to col. 6, line 5) for accessing said recording and reproducing means on time division basis, outputting at least two different types of data that are input from the outside to said recording and reproducing means, and outputting the input data to the outside,

wherein each of said plurality of input and output processing means has:

input means (RAID parts 10 and 21 of Fig. 1, col. 6, lines 21-67) for outputting record area information and the data that is input from the outside to said reproducing and reproducing means so that the data is recorded to predetermined areas of said plurality of record mediums corresponding to the different types of data, and

wherein said recording and reproducing means records the different types of data to the predetermined areas of said plurality of record mediums corresponding to the record area information that is output from said input means (col. 6, lines 21-67).

Regarding claim 2, Yoneya et al additionally discloses the claimed wherein the different types of data are video data and audio data (col. 6, lines 21-67).

Regarding claim 3, Yoneya et al discloses the claimed wheein the record area information is information representing an address of a record start position and an address of a record end position of one of said plurality of record mediums (col. 6, lines 21-67 and col. 9, lines 27-37).

Regarding claim 4, Yoneya et al discloses a data recording and reproducing method (Fig. 1) for accessing recording and reproducing means, outputting data to the recording and reproducing means, inputting reproduced data that is output from the recording and reproducing means, and outputting the data to the outside, the recording and reproducing means recording and reproducing the data to a record medium that is random-accessible on time divisin basis, the data containing different types of data that are input from the outside, the method comprising the steps of:

(a) outputting recording are information and the data to the recoring and reproducing means so that the different types of data are recorded to predetermined areas of the record medium (col. 6, lines 21-67);

(b) recording the different types of data to the predetermined areas of the record medium corresponding to the record area information that is output to the recording and reproducing means at step (a); and

(c) reproducing the different types of data from the predetermined areas of the recording medium, outputting the different types of data on time division basis, and outputting them to the outside (col. 5, line 47 to col. 6, line 5).

Regarding claim 5, Yoneya et al additionally discloses the claimed wherein the different types of data are video data and audio data (col. 6, lines 21-67).

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Regarding claim 6, Yoneya et al discloses the claimed wheein the record area information is information representing an address of a record start position and an address of a record end position of one of said plurality of record mediums (col. 6, lines 21-67 and col. 9, lines 27-37).

Claims 7-9 are rejected for the same reasons as discussed in claims 1-3 above, respectively.

Claims 10-12 are rejected for the same reasons as discussed in claims 4-6 above, respectively.

Regarding claim 13, Yoneya et al discloses a data recording and reproducing apparatus (Fig. 1), comprising:

- a recording medium (RAID parts 10 and 21 of Fig. 1, col. 5, lines 36-44 and col. 6, lines 21-47) that is random-accessible;

- recording and reproducing means (RAID parts 10 and 21 of Fig. 1, col. 5, lines 36-44 and col. 6, lines 21-47) for recording and reproducing data to and from said recording medium, the data containing video data and audio data; and

- a plurality of input and output processing means (the video processor part 30 of Fig. 1, col. 5, line 47 to col. 6, line 5) for accessing said recording and reproducing means on time division basis, outputting data that is input from the outside to said recording and reproducing means, inputting data reproduced by said recording and reproducing means, and outputting the ata to the outside,

- wherein each of said input and output processing means has:

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input means (RAID parts 10 and 21 of Fig. 1, col. 6, lines 21-67) for changing the divide ratio of a recording area for video data and a recording area for audio data of said recording medium corresponding to at least the data that is input from the outside and outputting record area information and the data to said recording and reproducing means so that the video data and the audio data are recorded to predetermined areas of the record medium, and

wherein said recording and reproducing means records the data to the predetermined areas of the recording medium corresponding to the record area information that is output from said input means, reproduces the data from said record medium, and outputs the reproduced data to each of said input and output processing means on time division basis (col. 6, lines 21-67).

Regarding claim 14, Yoneya et al discloses the claimed wherein each of said input and output processing means changes the divide ratio corresponding to the transmission rate of the video data that is input from the outside and the number of channels of the audio data (col. 3, lines 64-66 and col. 9, lines 27-37).

Regarding claim 15, Yoneya et al discloses the claimed wherein said record medium that is random-accessible is a disc shaped record medium (col. 5, lines 36-44), and wherein each of said input and output processing means changes the divide ratio corresponding to a recording method of RAID for the audio data along with the transmission rate of the video data and the number of channels of the audio data (col. 3, lines 64-66, col. 6, lines 21-67, and col. 9, lines 27-37).

Regarding claim 16, Yoneya et al discloses the claimed wheein the record area information is information representing an address of a record start position and an address of a record end position of one of said plurality of record mediums (col. 6, lines 21-67 and col. 9, lines 27-37).

Regarding claim 17, Yoneya et al discloses a data recording and rerpdoucing method (Fig. 1) for accessing recording and reproducing means, outputting data to the recording and reproducing means, inputting reproduced data that is output from the recording and reproducing means, and outputting the data to the outside, the recording and reproducing means recording and reproducing the data to and from a recording medium that is random-accessible, that data containing video data and audio data that are input from the outside, the method comprising the steps of:

(a) changing the divide ratio of a record area for the video data and a record area for the audio data on the record medium corresponding to at least the data that is input from the outside and outputting record area information and the data to the recording and reproducing means so that the video data and the audio data are recorded to different record areas of the record medium (RAID parts 10 and 21 of Fig. 1, col. 6, lines 21-67);

(b) recording the video data and the audio data to the different record areas of the record medium corresponding to the record area information that is output to the recoriding and reproducing means as step (a) (col. 6, lines 21-67); and

(c) reproducing the data from the record medium and outputting the reproduced data to each of input and output processing means (col. 6, lines 21-67).

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Regarding claim 18, Yoneya et al discloses the claimed wherein step (a) is performed by changing the divide ratio corresponding to the transmission rate of the video data that is input from the outside and the number of channels of the audio data (col. 3, lines 64-66 and col. 9, lines 27-37).

Regarding claim 19, Yoneya et al discloses the claimed wherein the record medium that is random-accessible is a disc shaped record medium (col. 5, lines 36-44), and wherein step (a) is performed by changing the divide ratio corresponding to a record method of RAID for the audio data along with the transmission rate of the video data and the number of channels of the audio data (col. 3, lines 64-66, col. 6, lines 21-67, and col. 9, lines 27-37).

Regarding claim 20, Yoneya et al discloses the claimed wherein the record area information is information representing an address of a record start position and an address of a record end position of the recording medium (col. 6, lines 21-67 and col. 9, lines 27-37).

Claims 21-24 are rejected for the same reasons as discussed in claims 13-16 above, respectively.

Claims 25-28 are rejected for the same reasons as discussed in claims 17-20 above, respectively.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to an apparatus for recording video/audio data on recording medium.

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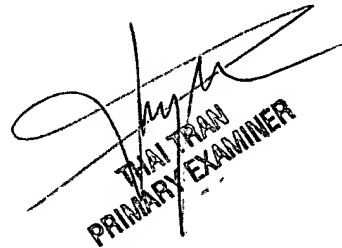
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725.

The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TTQ


THAI TRAN
PRIMARY EXAMINER